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7 **MILICENT EPINO**

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA.

Plaintiff,

vs.

Case No. 13-MJ-00271-CWH

MILLICENT EPINO,

Defendant.

STIPULATION TO CONTINUE PRELIMINARY HEARING

IT IS HEREBY STIPULATED AND AGREED, by and between **DANIEL G. BOGDEN, ESQ.**, United States Attorney, and **CRISTINA SILVA, ESQ.**, Assistant United States Attorney, counsel for the United States of America, and **THOMAS F. PITARO, ESQ.**, counsel for Defendant, **MILLICENT EPINO**, that the preliminary hearing in the above-captioned matter, currently scheduled for July 22, 2015, at the hour of 4:00 p.m., be vacated and continued for thirty days, or to a date and time to be set by this Honorable Court.

This stipulation is entered into for the following reasons:

25 1. The parties are finalizing the terms of a plea agreement. Additional time is needed
26 to get the plea agreement and change of plea date set.

27 2. Denial of this request for continuance of the preliminary hearing would prejudice

1 both the defendant and the government and unnecessarily consume this Court's valuable
2 resources, taking into account the exercise of due diligence.

3 3. Additionally, denial of this request for continuance could result in a miscarriage
4 of justice.

5 4. The additional time requested by this Stipulation is excludable in computing the
6 time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,
7 United States Code, Section 3161(b) and Section 3161(h)(8)(A), considering the factors under
8 Title 18, United States Code, Sections 3161(h)(8)(B)(i) and 3161(h)(8)(B)(iv).

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10 5. There have been two previous request for continuance of the preliminary hearing
11 granted herein.

12 **DATED** this 21st day of July, 2015.

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15 /S/ Thomas F. Pitaro
16 **THOMAS F. PITARO, ESQ.**
17 Counsel for Defendant

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28 /S/ Cristina Silva
29 **CRISTINA SILVA, ESQ.**
30 Assistant U. S. Attorney

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UNITED STATES DISTRICT COURT

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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court hereby finds that:

IT IS THEREFORE ORDERED that the preliminary hearing in the above captioned matter currently scheduled for July 22, 2015, at the hour of 4:00 p.m. be vacated and continued to Thursday, August 27, 2015, at the hour of 4:00 p.m.

DATED this 22nd day of April, 2015.

UNITED STATES MAGISTRATE JUDGE